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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 7, 2003

Date



Signature

Telephone
Number: (404) 815.6218

Bruce D. Gray

Typed or printed name

Kilpatrick Stockton LLP

Address

1100 Peachtree Street
Atlanta, GA 30309

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other : _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

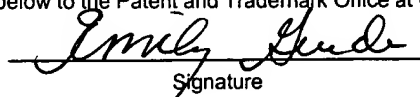
I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

May 7, 2003

Date



Signature

Emily Guida

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Burns

SERIAL NO.: 09/336,328

GROUP ART UNIT: 1653

FILED: June 18, 1999

EXAMINER: Moezie

FOR: COMPOSITIONS SUITABLE FOR CONTROLLED RELEASE OF THE
HORMONE GNRH AND ITS ANALOGS

ATTORNEY DOCKET NO.: S0351/186588

I hereby certify that this correspondence is being deposited with the United States Postal Service as certified first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 7, 2003.

1450, Alexandria, VA 22313-1450, on May 7, 2003.

Emily G. Smith

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DATE: May 7, 2003

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OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. § 1.137(b)

Sir:

STATEMENT OF FACTS

This application was abandoned by Notice of Abandonment dated May 9, 2001, for failure to respond to the Office action dated September 21, 2000. Because (1) Applicants' representative never received the Notice of Abandonment and because of a misunderstanding on the part of Applicants' representative as to whether instructions not to proceed with PCT national phase entry included this U.S. application, the entire delay in providing this reply was unintentional.

RELIEF REQUESTED

Applicants respectfully request that this application be revived under 37 C.F.R. § 1.137(b) and restored to pending status. A response to the Office action is enclosed herewith.

A check for \$1300.00 is enclosed herewith.

Please charge any fees in connection with this filing to Deposit Account No. 11-0855.

Respectfully submitted,



Bruce D. Gray
Reg. No. 35,799

Date: May 7, 2003

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6218